

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X

DZEVAD BULJUBASIC,

Plaintiff,

- against -

**REPORT AND  
RECOMMENDATION**

06 CV 1279 (NGG)

SPENCER ALSTON ISRAEL, et al.,

Defendants.

-----X

Following removal from State Court in March 2006, this Court held an initial conference on May 31, 2006 and set a schedule for the completion of discovery. At that time, this Court also set a status conference for October 10, 2006. Plaintiff's counsel failed to appear not only for the October 10, 2006 conference, but also failed to appear thereafter on the adjourned date set by the Court. Not only has counsel failed to appear for two status conferences, but there has been no communication from counsel requesting an adjournment or explaining counsel's failure to appear.

Accordingly, this Court respectfully recommends that, unless plaintiff's counsel contacts the Court within 10 days of the date of this Report and Recommendation, the case be dismissed for failure to prosecute.

Any objections to this Report and Recommendation must be filed with the Clerk of the Court, with a copy to the undersigned, within ten (10) days of receipt of this Report. Failure to file objections within the specified time waives the right to appeal the District Court's order. See

28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6(a), 6(e), 72; Small v. Secretary of Health and Human Servs., 892 F.2d 15, 16 (2d Cir. 1989).

The Clerk is directed to mail copies of this Report and Recommendation to the parties.

**SO ORDERED.**

Dated: Brooklyn, New York  
October 23, 2006

  
Cheryl L. Pollak  
United States Magistrate Judge  
Eastern District of New York